

ZA  
F.#2009R01793

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-X

UNITED STATES OF AMERICA

NOTICE

- against -

09-CR-663 (RJD)

NAJIBULLAH ZAZI,

Defendant.

-X

SUPPLEMENTAL NOTICE OF INTENT TO USE  
FOREIGN INTELLIGENCE SURVEILLANCE ACT INFORMATION

The United States, through its Attorney, Kelly T. Currie, Acting United States Attorney for the Eastern District of New York, hereby supplements its previous Notice of Intent to Use Foreign Intelligence Surveillance Act information, filed on September 29, 2009. This supplemental notice is being filed as a result of the government's determination that information obtained or derived from Title I FISA collection may, in particular cases, also be "derived from" prior Title VII FISA collection. Based upon that determination and a recent review of the proceedings in this case, the United States of America hereby provides notice to the Court and the defense, pursuant to Title 50, United States Code, Sections 1806(c) and 1881e(a), that the information the United States intended to enter into evidence, or otherwise use or disclose at trial, hearings, or other proceedings in this case, included information derived from acquisition of

foreign intelligence information conducted pursuant to the Foreign Intelligence Surveillance Act of 1978, as amended, 50 U.S.C. § 1881a.

The United States of America has discussed this supplemental notice with defense counsel. Defense counsel has advised that defendant Zazi has conferred with his counsel about this supplemental notice, and does not intend to pursue any further action in this matter.

Dated: July 27, 2015  
Brooklyn, New York

Respectfully submitted,

KELLY T. CURRIE  
Acting United States Attorney

By:   
Zainab Ahmad  
Assistant United States Attorney  
Eastern District of New York